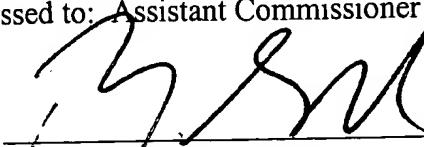


MAILING CERTIFICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on June 5, 2001


Bruce S. Londa

5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Docket No. 191215-51

Applicant : Klaus-Peter Gerbling et al.

Appln. Number : 09/700,148

Filed : November 10, 2000

For : Method for Detecting Microorganisms in Products

RECEIVED

08 AUG 2001

Legal Staff
International Division

BOX PCT

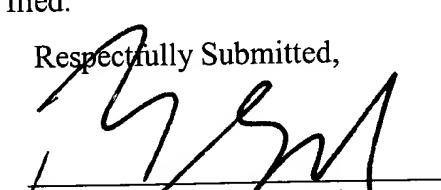
Hon. Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Notification of Defective Response mailed May 31, 2001, Applicant submits that the declaration was filed December 1, 2000. A copy of the declaration, cover letter and postcard returned by the Patent Office acknowledging receipt is enclosed.

Please issue the Notification of Acceptance of Application setting the 35 U.S.C. 102(e) date at May 15, 2001, the date the sequence listing was filed.

Respectfully Submitted,


Bruce S. Londa (33,531)

Attorney Applicant
Norris, McLaughlin & Marcus P.A.
220 East 42nd Street, 30th Floor
New York, N.Y. 10017
Telephone: (212)808-0700
Facsimile: (212)808-0844



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

09/700148

FIRST NAMED APPLICANT

GERBLING

ATTY. DOCKET NO.

K 101215-51

INTERNATIONAL APPLICATION NO.

PCT/DE99/01471

I.A. FILING DATE

10 MAY 99

PRIORITY DATE

12 MAY 98

DATE MAILED:

31 MAY 2001

NOTIFICATION OF A DEFECTIVE RESPONSE

1. The request for an extension of time (37 CFR 1.136(a)) filed _____ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
2. Applicant's response filed _____ was received in the Office after the expiration of the period for response set in the Office notification mailed _____. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
3. Applicant's response filed _____ is hereby acknowledged. The following requirements set forth in the NOTIFICATION OF MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed _____ have not been completed.

- Translation of the international application into English.
 - which is defective for the reasons indicated on the attached Notice of Defective Translation.
- Processing fee (37 CFR 1.492(f)).
- Oath or Declaration of inventor(s). *needed*
 - not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- Surcharge (37 CFR 1.492(e)).
- Sequence Listing.
 - not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.
- Additional claim fees.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PCT/DO/EO/920

FORM PCT/DO/EO/916 (March 2001)

Paulette Kidwell, Paralegal
Telephone: 703-305-3656